THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

Writ Petition No.5942 of 2002

ORDER:

1 The grievance of the petitioner is that the respondents, without paying any compensation to him, are trying to demolish the structures for road widening.

2 While admitting the Writ Petition a Learned Judge by order dated 31.03.2001, directed the respondents not to demolish the premises bearing No.6-3-347/9/2 (New Plot No.158), Dwarakapuri Colony, Hyderabad or any portion thereof till further orders.

3 Though the Writ Petition is filed in 2001, no counter affidavit is filed on behalf of respondents 1 to 3. Fourth respondent filed counter affidavit alleging that it is the first respondent that has to take the appropriate action.

4 Since the property of the petitioner cannot be used for road widening unless it is acquired under relevant provisions of law, and compensation is paid to the petitioner, with a direction to the respondents not to interfere with the possession of the property of the petitioner i.e. premises No. No.6-3-347/9/2 (New Plot No.158), Dwarakapuri Colony, Hyderabad without taking recourse to due process of law for road widening programme, this Writ Petition is disposed of. No costs.

Justice C.Y.Somayajulu

23-10-2007

kvsn